Linda M. Lawson (Bar No. 77130) 1 llawson@mmhllp.com Jason A. James (Bar No. 265129) jjames@mmhllp.com MESERVE, MUMPER & HUGHES LLP 300 South Grand Avenue, 24th Floor Los Angeles, California 90071-3185 Telephone: (213) 620-0300 Facsimile: (213) 625-1930 5 Attorneys for Defendant MASSÁCHUSETTS MUTUAL LIFE **INSURANCE COMPANY** 8 UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION 9 CAPITAL ONE, N.A., as Trustee of the Case No. CV13-06411 SJO (PSWx) BETA INDIVIDUAL ÉMPLOYER STIPULATION TO EXTEND TIME WELFARE BENEFIT PLAN AND 11 TO RESPOND TO INITIAL TRUST, and POINTE BENEFIT **COMPLAINT BY NOT MORE** CONSULTANTS, LLC as 12 Administrator/Recordkeeper of the THAN 30 DAYS [L.R. 8-3] BETA INDIVIDUAL EMPLOYER 13 WELFARE BENEFIT PLAN AND Complaint Served: September 10, 2013 October 1, 2013 TRUST, Current Resp. Date: 14 New Resp. Date: October 31, 2013 Plaintiffs, 15 16 VS. LAWRENCE SAKS, M.D., JEANNE 17 SAKS, and MASSACHUSETTS MUTUAL LIFE INSURANCE 18 COMPANY, 19 Defendants. 20 21 WHEREAS, Plaintiffs CAPITAL ONE, N.A., as Trustee of the BETA 2.2 INDIVIDUAL EMPLOYER WELFARE BENEFIT PLAN AND TRUST, and 23 POINTE BENEFIT CONSULTANTS, LLC as Administrator/Recordkeeper of the 24 BETA INDIVIDUAL EMPLOYER WELFARE BENEFIT PLAN AND TRUST 25 (collectively "Plaintiffs") served upon defendant MASSACHUSETTS MUTUAL 26 LIFE INSURANCE COMPANY ("MassMutual") the Complaint in this action on 27 September 10, 2013; 28 Case No. CV13-06411 SJO (PSWx) 1 STIPULATION TO EXTEND TIME TO RESPOND TO INITIAL COMPLAINT

LAW OFFICES

MESERVE, MUMPER &

HUGHES LLP

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1	WHEREAS, a responsive pleading to the Complaint must be filed and served	
2	on behalf of MassMutual by October 1, 2013;	
3	WHEREAS, for good cause and pursuant to Local Rule 8-3, the parties wish	
4	to extend the time within which a responsive pleading to the Complaint must be filed	
5	and served by MassMutual by 30 days to October 31, 2013.	
6	IT IS HEREBY STIPULATED by and between Plaintiffs and MassMutual, by	
7	and through their respective counsel of record, that the time within which a	
8	responsive pleading to Plaintiffs' Complaint must be filed and served by MassMutual	
9	is extended by 30 days to October 31, 2013.	
10	IT IS SO STIPULATED.	
11	Dated: September 27, 2013	MORRISON & FOERSTER LLP Sylvia Rivera
12		Sylvia Rivera
13		By: <u>//s/Sylvia Rivera</u>
14		Sylvia Rivera Attorneys for Plaintiff
15		CAPITÁL ONE, N.A.
16	D . 1 G . 1 07 0010	
17	Dated: September 27, 2013	FOX ROTHSCHILD LLP Yesenia M. Gallegos
18		
19		By: //s/Yesenia M. Gallegos
20		Yesenia M. Gallegos Attorneys for Plaintiff POINTE BENEFIT
21		CONSULTANTS, LLC
22		
23	Dated: September 27, 2013	MESERVE, MUMPER & HUGHES LLP Linda M. Lawson
24		Jason A. James
25		By: //s/Jason A. James
26		Jason A. James Attorneys for Defendant
27		MASSÁCHUSETTS MUTUAL LIFE INSURANCE COMPANY
28		
		2 Case No. CV13-06411 SJO (PSWx) STIPULATION TO EXTEND TIME TO

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